

**AGENDA**  
**ST. TAMMANY PARISH BOARD OF ADJUSTMENT MEETING**  
**TUESDAY, MARCH 1 - 3:00 P.M.**  
**ST. TAMMANY PARISH GOVERNMENT COMPLEX BUILDING**  
**21490 KOOP DRIVE, PARISH COUNCIL CHAMBERS**  
**MANDEVILLE, LOUISIANA**

**CALL TO ORDER**

**ROLL CALL**

**APPROVAL OF THE FEBRUARY 2, 2016 MINUTES**

**PUBLIC HEARINGS**

**BOA CASE NO. 2016-157-BOA**

Request by applicant to eliminate a portion of the front yard landscape buffer and all of the side yard buffers in an I-2 Industrial zoning district. The property is located on the south side of Painters Row and west of Airport Road, north of Covington, Louisiana.

Applicant: KT Maintenance, L.L.C.

**BOA CASE NO. 2016-165-BOA**

Request by applicant for an "after the fact" variance in a HC-2A Highway Commercial zoning district for the removal of seven (7) trees within the southern side yard buffer. The property is located on east side of LA Highway 190 Service Road, south of Covington, Louisiana.

Applicant: BB Mini Storage

**BOA CASE NO. 2016-171-BOA**

Request by applicant for variances of the front and year yard landscape and planting buffers in an I-1 Industrial zoning district from 25' required to 18' requested and from 10' required to 4.8' requested respectively. The property is located at 180 Commercial Square, Slidell, Louisiana.

Applicant: Wayne Erdman

**BOA CASE NO. 2016-174-BOA**

Request by applicant for variances for the reduction of portions of the front and side yard landscape buffers and plantings in an I-2 Industrial zoning district. The property is located on Krentel Road, just north of I-12, north of Lacombe, Louisiana.

Applicant: St. Tammany Parish Communications District

**BOA CASE NO. 2015-175-BOA**

Request by applicant for a variance in a HC-2 Highway Commercial zoning district to eliminate a portion of the north side landscape buffer requirement from 10' required to 2' requested. The property is located at 2963 U.S. Highway 190, Mandeville, Louisiana.

Applicant: Lavigne Plaza, L.L.C.

**OLD BUSINESS**

**NEW BUSINESS**

**ADJOURNMENT**

## **MINUTES**

### **ST. TAMMANY PARISH BOARD OF ADJUSTMENTS MEETING**

**3:00 PM - TUESDAY, FEBRUARY 2, 2016**

**LA HIGHWAY 59/KOOP DRIVE ADMINISTRATIVE COMPLEX BUILDING  
MANDEVILLE, LOUISIANA**

The February 2, 2016 meeting of the St. Tammany Parish Board of Adjustment was called to order by the Chairman, Mr. Tim Fandal.

The roll was called as follows:

**PRESENT:** Mr. Fandal, Mr. Brookter, Mr. Schneider, Mr. Gordon and Mr. Ballantine

**ABSENT:** None

**STAFF PRESENT:** Mr. Keller & Mr. Sevante

### **APPROVAL OF THE MINUTES**

Moved by Mr. Ballantine and seconded by Mr. Brookter to accept the January 5, 2016 minutes as typed and delivered.

**MOTION CARRIED UNANIMOUSLY**

### **BOA CASE NO. 2016-140-BOA**

Request by applicant for a variance of a rear yard setback requirement in an A-4 Single Family zoning district from 25' required to approximately 14' requested.

Applicant: Krystle Landor

(Mr. Keller read the staff report into the record...)

The applicant appeared on her own behalf and made the following initial comments:

- The addition has already been put up.

Mr. Brookter: What is the size of the trailer?

Ms. Landor: 12' x 60'... two bedrooms and adding an additional one.

Mr. Fandal: You have a letter from the rear neighbor?

Ms. Landor: Some company owns the property... a lady owns the property and this letter is from her.

(Mr. John Malba spoke on behalf of the applicant and stated that they have three children and they need a third bedroom as required by Foster Care.)

Mr. Malba: I did not know that I needed a permit.

Mr. Schneider: Has all of the inside been done?

Ms. Landor: Yes.

Moved by Mr. Ballantine and seconded by Mr. Brookter to grant the variance request subject to getting the proper building permits.

**MOTION CARRIED 4 YEAS TO 1 NAY**

**BOA CASE NO. 2016-141-BOA**

Request by applicant for a variance of a rear yard setback requirement in an A-4A Single Family zoning district from 25' required to approximately 19' requested.

Applicant: Sonya Waller

(Since the applicant was not present, it was moved by Mr. Ballantine and seconded by Mr. Schneider to postpone this case until next month.)

**MOTION CARRIED UNANIMOUSLY**

(At this time, the applicant appeared in the chambers...)

Moved by Mr. Ballantine and seconded by Mr. Brookter to reconsider BOA Case No. 2016-141-BOA and bring it back on the docket.

**MOTION CARRIED UNANIMOUSLY**

**BOA CASE NO. 2016-141-BOA**

Request by applicant for a variance of a rear yard setback requirement in an A-4A Single Family zoning district from 25' required to approximately 19' requested.

Applicant: Sonya Waller

(Mr. Keller read the staff report into the record...)

The applicant appeared on her own behalf and made the following initial comments:

- The trailer was a "Gift from God".
- My brother gave me trailer.
- I have already paid for everything... I should not have paid.

Mr. Schneider: Where is the trailer now?

Ms. Waller: In Carrollton Park in Slidell.

Mr. Fandal: Are there other trailers in the area?

Ms. Waller: Yes.

Mr. Fandal: I use to own a mobile home park and a trailer that is only 76' long is not that big. Many are 80' and more. I don't think getting a smaller mobile home is the answer.

Moved by Mr. Ballantine and seconded by Mr. Brookter to grant the variance request.

**MOTION CARRIED 4 YEAS TO 1 NAY**

### **OLD BUSINESS**

(The board members asked Mr. Sevante about the pending litigation with the Clearwater Pools & Spas case.)

(Mr. Sevante stated that since this is pending litigation, that he was not at liberty at this time to discuss. However, Mr. Sevante added that the parish was in the process of answering the service after being served by the applicant's attorney.)

### **NEW BUSINESS**

### **ADJOURNMENT**

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MR. TIM FANDAL, CHAIRMAN  
ST. TAMMANY PARISH BOARD OF ADJUSTMENTS

*Disclaimer: These minutes are intended to represent an overview of the meeting and general representation of the testimony given; and therefore, does not constitute verbatim testimony or a transcription of the proceedings.*

**ST. TAMMANY PARISH BOARD OF ADJUSTMENT  
STAFF ANALYSIS REPORT**

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Case File Number: BOA Case No. 2016-157-BOA  
Initial Hearing Date: March 1, 2016  
Date of Report: February 19, 2016

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**GENERAL INFORMATION**

Applicant(s) Name: KT Maintenance, L.L.C.  
Location of Property: South side of Painters Row in Covington Industrial Park  
subdivision, north of Covington, Louisiana  
Zoning of Property: I-2 Industrial  
Variance(s) Requested: Reduction of front yard and all side yard landscape buffers and  
plantings

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**OVERVIEW**

The applicant is seeking variances for portions of the front and for all of the side yard buffers and plantings on his property due to the fact that many years ago, in order to provide security for the site, the applicant erected an eight (8') tall chain-link opaque fence around the entire perimeter of the property, and has utilized the site for the storage of his trucks and heavy equipment (see letter attached from the applicant's attorney, dated January 8, 2016).

Furthermore, the applicant argues that it would not make much sense to require the landscape buffers and plantings because said plantings would have to be placed on the interior side of the opaque fencing, implying that if required, would not be consistent with the spirit and intent of the parish's landscaping ordinance.

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**STAFF COMMENTS**

The staff understands the applicant's arguments since the fence was erected on the property several years ago and said property abuts other industrial lots within an industrial park subdivision.

Pursuant to parish code, if the applicant was required to plant the requisite number of trees in the buffers, he would need to provide approximately eighteen (18) class A and B trees for the site in question. Therefore, the staff would have no objections to the variances requested subject to the applicant paying for plant mitigation to the St. Tammany Parish Tree Mitigation Bank for the

number of trees that would be planted within the front and side yard buffers, (18) Class A and (18) Class B), for a total of 57" caliper inches or \$5,700.00, for which said payment is based on \$100.00 per caliper inch of tree, inclusive of the cost for the trees and the labor required to plant.

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BOA CASE NO. 2016-157-BOA (for office use only)

**ST. TAMMANY PARISH BOARD OF ADJUSTMENT  
(VARIANCE/APPEAL APPLICATION FORM)**

(Please print on the following lines below. If a company, please include a contact person name also.)

APPLICANTS NAME: KT Maintenance, L.L.C.  
c/o Mr. Kort M. Wittich  
MAILING ADDRESS: 2182 Manton Drive

CITY/STATE/ZIP: Covington, LA 70433

PHONE NUMBER: 985-898-0932  
(Home Phone #) (Cell Phone #)

PROPERTY LOCATION FOR VARIANCE REQUESTED: ZONING: I-2 Industrial District

Lot 42 Covington, LA Covington Industrial Park, Phase II  
Address City State Subdivision (if applicable)

(Please check the applicable boxes below:)

REQUEST FOR: ☒ A variance of the (Unified Development Code)  
☐ Appeal of an adverse decision made by a parish official(s)  
☐ Appeal the interpretation by a parish official(s) of the (Unified Development Code)

**VARIANCE/APPEAL REQUESTED:**

- ☐ building setbacks (reduction of front, side and/or rear yard setbacks)  
☐ landscape buffers (reduction of front, side and/or rear yard buffer setbacks)  
☒ landscaping within buffers (reduction of the number of trees, bushes and/or shrubs)  
☐ parking area requirements (reduction of parking stalls, parking greenspace islands, etc...)  
☐ signage requirements (increase of sign area and/or sign height, lighting, coloring, etc...)  
☐ other \_\_\_\_\_  
(Specify other variance/appeal on line above)

(Please state on the following lines below your specific request for a variance/appeal:)

Please see letter of explanation attached.

KT Maintenance, L.L.C.

By:

Kort M. Wittich  
SIGNATURE OF OWNER/APPLICANT  
Kort M. Wittich, Member

1/8/14  
DATE OF APPLICATION



WILLIAM J. JONES, JR.  
A. WAYNE BURAS  
JEFFREY D. SCHOEN  
JOHN R. WALKER  
SAM J. COLLETT, JR.  
MARGARET H. KERN  
CALVIN P. BRASSEAU  
PAUL J. MAYRONNE  
BAILEY DIRMANN MORSE

SAM J. COLLETT, III

## JONES FUSSELL, L.L.P.

ATTORNEYS AT LAW  
NORTHLAKE CORPORATE PARK, SUITE 103  
1001 SERVICE ROAD EAST, HIGHWAY 190

P.O. BOX 1810  
COVINGTON, LOUISIANA 70434-1810

TELEPHONE (985) 892-4801  
FAX (985) 892-4925

HOWARD R. FUSSELL  
(1937-2015)

January 8, 2016

St. Tammany Parish Department of Planning  
c/o Mr. Ron Keller  
P.O. Box 628  
Covington, Louisiana 70434

**Re: Requested Variance for Landscaping within Side Buffers  
Lot 42, Covington Industrial Park, Phase II**

Dear Ron:

My client, KT Maintenance, L.L.C., is the owner of Lot 42, Covington Industrial Park, Phase II (the "Lot"). Our particular variance request is to eliminate the required planting within the side buffer areas of the Lot and a portion of the front buffer area (the portion within the existing fence), for the reasons more particularly set forth below.

The Lot is within an existing and well-established industrial park, north of Covington. The Lot is located within the interior of the park and on all sides is bounded by other industrially zoned lots. Upon acquiring the Lot, my client promptly constructed a eight (8') foot chain link fence around the entire parcel, for security purposes. This fence has been in place for many years. It is important to note that the existing fence is located eight (8') feet from the front property line of the Lot, twenty (20') feet from the rear property line of the Lot and approximately four (4") inches from each side property line of the Lot. Furthermore, it is also worthy of note that to the best of our knowledge, the precise location of the fence is in compliance with all Parish ordinances.

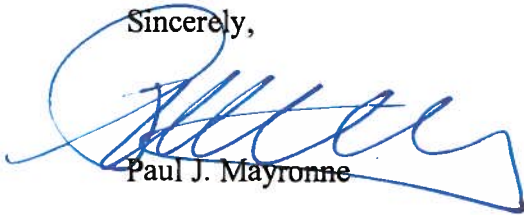
It has been the custom of my client to utilize the Lot to store his trucks and heavy equipment when they are not in use. At some point last year, my client was advised that in order to store his equipment on the Lot, he would need to make certain modifications to the Lot in order to comply with several portions of the St. Tammany Parish Unified Development Code. In particular, my client is required to make the fencing opaque, such that the interior of the Lot is not visible from the street or the adjoining lots, and to landscape the Lot. It is the convergence of these two (2) requirements that leads to our requested variance, as we believe that compliance with both would result in an unintended and less than useful result.

As you will see from the attached pictures, my client has already fulfilled the initial requirement of making the existing fencing opaque. Moreover, my client is ready, willing and able to complete the required plantings in the front (excluding that portion of the buffer behind the existing fence) and rear buffer areas. However, we are requesting relief from the requirement to plant in the side buffer areas and a portion of the front buffer (the portion behind the existing fence) because, as illustrated above by the location of the existing fence, any such plantings would be on the interior of the opaque fence. Therefore, the plantings would not be visible and would therefore provide no utility or achieve the goal for which they are intended.

I would remind you and the members of the Board that this subdivision is a long established industrial park. The park is zoned I-2 Industrial District, which is one of the most intense industrial districts allowed in St. Tammany Parish. I would also submit that a review of the other developed lots in Covington Industrial Park would reveal that most, if not all, do not have the landscaping that we are requesting relief from. Finally, my client is the owner of Lot 41, which is located on the west side of the Lot and is therefore one of the parties that would potentially be impacted if our request was granted.

For the foregoing reasons, we would respectfully request your consideration and that our proposed variance be granted.

Sincerely,



Paul J. Mayronne

PJM:lmr

cc: KT Maintenance, L.L.C.

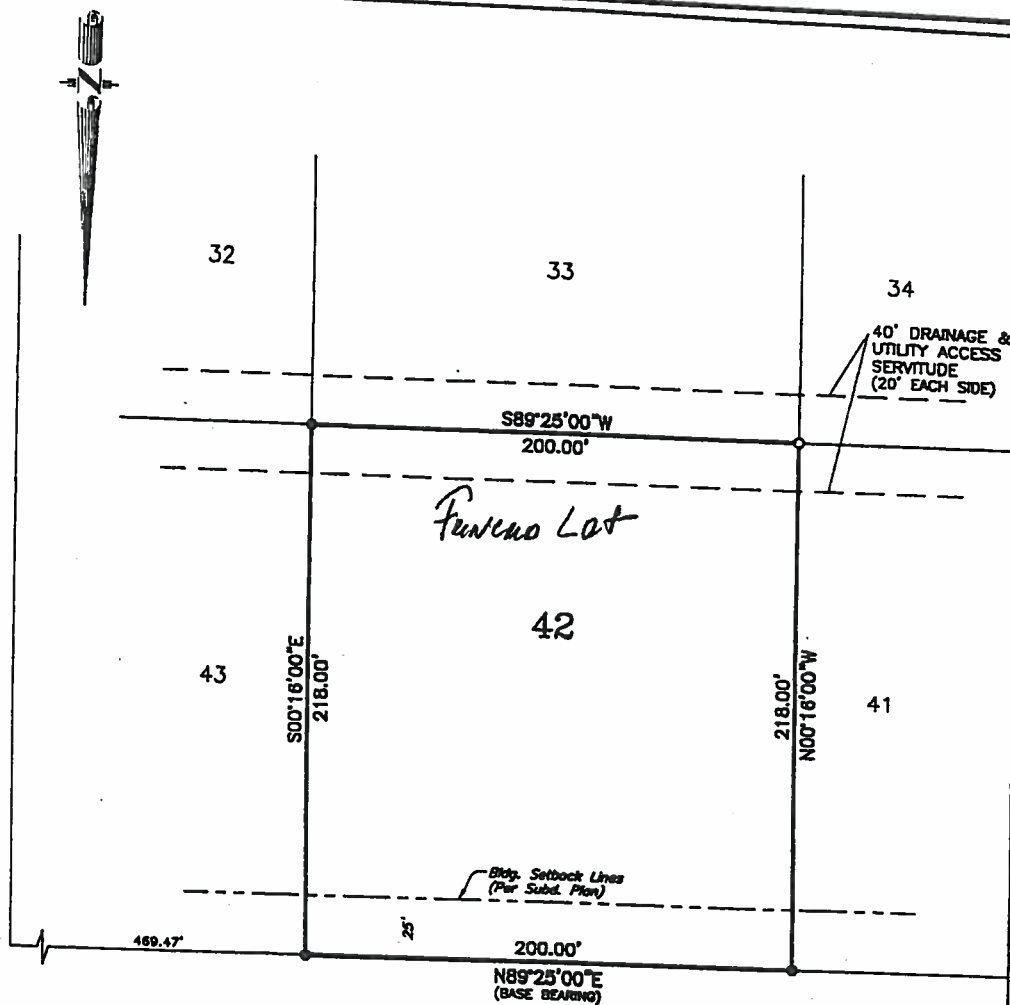








AIRPORT ROAD



PAINTERS ROW

**LEGEND**

- = IRON ROD FOUND
- = IRON ROD SET

**REFERENCE SURVEY AND BASIS FOR BEARINGS:**

PLAT OF COVINGTON INDUSTRIAL PARK, PHASE II  
BY NED R. WILSON, P.L.S., DATED 5-23-2003,  
RECORDED IN MAP FILE No. 4218 OF THE  
OFFICIAL RECORDS OF THE CLERK OF COURT  
OF ST. TAMMANY PARISH, LA.

**NOTE:**

ANY UTILITIES, DITCHES, AND/OR ADDITIONAL  
SERVITUDES THAT MAY EXIST WITHIN THIS  
PROPERTY, IF ANY, ARE NOT SHOWN HEREON.

THIS IS TO CERTIFY THAT I HAVE CONSULTED THE  
FEMA FLOOD INSURANCE RATE MAPS AND FIND  
THAT THE SUBJECT PROPERTY IS LOCATED IN FLOOD  
ZONE "C" PER PANEL NUMBER 223205 0150 C,  
DATED 10-17-89.

THIS IS TO CERTIFY THAT THIS PLAT REPRESENTS  
AN ACTUAL SURVEY MADE ON THE GROUND UNDER  
THE DIRECT SUPERVISION OF THE UNDERSIGNED AND  
IS IN ACCORDANCE WITH THE ADOPTED LOUISIANA  
MINIMUM STANDARDS OF PRACTICE FOR PROPERTY  
BOUNDARY SURVEYS FOR A CLASS "C" SURVEY.

SURVEY OF LOT 42  
COVINGTON INDUSTRIAL PARK  
PHASE II  
SITUATED IN SECTION 20  
TOWNSHIP 6 SOUTH  
RANGE 11 EAST  
ST. TAMMANY PARISH, LA

CERTIFIED CORRECT TO:

DEEP SOUTH DEVELOPMENT CORP.  
AND A J TITLE CO., INC.



Fontcuberta  
*Surveys*  
INCORPORATED

PROFESSIONAL  
LAND SURVEYORS

*Thomas J. Fontcuberta*  
SURVEYOR

DATE	SCALE	P.O. BOX 1792 COVINGTON, LA. 70434 PHONE: (985) 893-7461	DRAWN BY	CHECKED BY	JOB NO.	PLAT FILE NO.
6-06-2006	1" = 60'		HAM	TJF	464210	130-265



**ST. TAMMANY PARISH BOARD OF ADJUSTMENT  
STAFF ANALYSIS REPORT**

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Case File Number: BOA Case No. 2016-165-BOA  
Initial Hearing Date: March 1, 2016  
Date of Report: February 19, 2016

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**GENERAL INFORMATION**

Applicant(s) Name: BB Mini Storage  
Location of Property: 7037 Highway 190, Covington, Louisiana  
Zoning of Property: HC- 2A Highway Commercial  
Variance(s) Requested: "After the fact" removal of seven (7) trees

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**OVERVIEW**

The applicant is seeking an "after the fact" variance for the removal of seven (7) Class A type trees along the south side yard buffer area. The applicant argues that their justification is due to improvements to be made to the site relative to placing solar panels on the roof and the subsurface installation of a drainage pipe and sewer line (see letter attached from the applicant dated January 15, 2016).

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**STAFF COMMENTS**

The applicant took the unilateral and unusual steps of removing said trees, with the knowledge that said action was in violation of parish code. Having said that, it appears that the buffer is still intact and seems to provide adequate screening from the adjacent property.

However, that notwithstanding, the fact remains that the applicant took unilateral action to remove the seven (7) trees without first consulting with the parish; therefore, the staff feels that under the circumstances the board should consider requiring the applicant to pay double the mitigation costs in favor of the St. Tammany Parish Tree Mitigation Bank for the trees that were cut down on the site for a total \$3,500.00, or to plant seven (7) new trees on the site that equates to the number of caliper inches of trees lost.

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ST. TAMMANY PARISH BOARD OF ADJUSTMENT  
(VARIANCE/APPEAL APPLICATION FORM)

(Please print on the following lines below. If a company, please include a contact person name also.)

APPLICANTS NAME: BB Mini Storage DBA LIBERTY SELF STORAGE

MAILING ADDRESS: 7037 HWY 190

CITY/STATE/ZIP: COVINGTON, LA, 70433

PHONE NUMBER: 985-893-3087 985-778-3973  
(Home Phone #) (Cell Phone #)

PROPERTY LOCATION FOR VARIANCE REQUESTED: ZONING: HL-2A

7037 HWY 190 COVINGTON LA  
Address City State Subdivision (if applicable)

(Please check the applicable boxes below:)

REQUEST FOR: ☒ A variance of the (Unified Development Code)  
☐ Appeal of an adverse decision made by a parish official(s)  
☐ Appeal the interpretation by a parish official(s) of the (Unified Development Code)

VARIANCE/APPEAL REQUESTED:

- ☐ building setbacks (reduction of front, side and/or rear yard setbacks)  
☐ landscape buffers (reduction of front, side and/or rear yard buffer setbacks)  
☐ landscaping within buffers (reduction of the number of trees, bushes and/or shrubs)  
☐ parking area requirements (reduction of parking stalls, parking greenspace islands, etc...)  
☐ signage requirements (increase of sign area and/or sign height, lighting, coloring, etc...)  
☐ other Removal of 6 Pines and 1 PinOak greater than 6" caliber  
(Specify other variance/appeal on line above)

(Please state on the following lines below your specific request for a variance/appeal:)

See attached letter

Matt Bennett  
SIGNATURE OF OWNER/APPLICANT

1-15-16  
DATE OF APPLICATION

Matt Bennett



7037 Hwy 190, Covington, La 70433 Office: (985) 893-3087 Fax: (985) 893-8964

1/15/2016

Re: After the Fact Variance Request for Removal of Pine Trees

Liberty Self Storage

7037 Hwy. 190 Covington, 70433

Liberty Self Storage

Ron Keller,

I cut down and removed 6 Pine Trees and 1 Pin Oak were from the South property line side yard. After much planning and deliberation it was determined that these trees would not survive considering the construction improvements that we will be installing along this property line. The building that is being constructed will be 30' tall. Along the side of this building slab we will be installing a 12" subsurface drainage pipe with downspouts connected to the subsurface drainage to be sure to retain all run off from the building. In addition to the subsurface drainage being installed, we are also running a sewer line to service the two buildings to be constructed. An additional burden of the trees relates to the solar panels that we will have atop this 30' building. These panels will produce 97% of the electrical energy needed to power this Liberty Self Storage location. The pine trees and pin oak would cast shade atop the solar panels, making the solar panels unable to capture solar rays to produce the necessary electricity. After unfolding the factors above and knowing how near impossible it would be to take the trees down after a the building was erected, I felt it necessary to take these trees down now before I moved any further along with the construction of the 3 story building. I am aware of the additional per tree fee for filing an "After the Fact" Variance Request. I am also prepared to replant an even better replacement of landscaping to create a more desirable greenspace between my neighbor and me. ~~I am still waiting for my revised landscape plan. When I get it next week I will resend to you, as well.~~

Thank you,

Matthew J. Bennett





**ST. TAMMANY PARISH BOARD OF ADJUSTMENT  
STAFF ANALYSIS REPORT**

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Case File Number:	BOA Case No. 2016-171-BOA
Initial Hearing Date:	March 1, 2016
Date of Report:	February 19, 2016

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**GENERAL INFORMATION**

Applicant(s) Name:	Wayne Erdman
Location of Property:	180 Commercial Square, Slidell, Louisiana
Zoning of Property:	I-1 Industrial
Variance(s) Requested:	Front and rear yard landscape buffers

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**OVERVIEW**

The applicant is seeking a variances for the front yard landscape buffer in order to allow for a drive up door and for the rear yard “to match existing building” for a new business that he is proposing on the site.

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**STAFF COMMENTS**

Unfortunately the applicant has not provided the staff with enough detailed documentation in order for us to determine if a practical difficulty or hardship would be imposed on the site; therefore, for that reason, the staff does not support the variances requested.

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**ST. TAMMANY PARISH BOARD OF ADJUSTMENT  
(VARIANCE/APPEAL APPLICATION FORM)**

*(Please print on the following lines below. If a company, please include a contact person name also.)*

**APPLICANTS NAME:** Wayne Erdman

**MAILING ADDRESS:** 180 Commercial Square

**CITY/STATE/ZIP:** Slidell, Louisiana 70461

**PHONE NUMBER:** 504-324-1810

(Home Phone #)

504-657-6780

(Cell Phone #)

**PROPERTY LOCATION FOR VARIANCE REQUESTED:** **ZONING:** I-1 Industrial

<u>180 Commercial Square</u>	<u>Slidell</u>	<u>Louisiana</u>	<u>Slidell Suburban Acres</u>
Address	City	State	Subdivision (if applicable)

*(Please check the applicable boxes below:)*

**REQUEST FOR:**

- ☒ A variance of the (Unified Development Code)
- ☐ Appeal of an adverse decision made by a parish official(s)
- ☐ Appeal the interpretation by a parish official(s) of the (Unified Development Code)

**VARIANCE/APPEAL REQUESTED:**

- ☒ building setbacks (reduction of front, side and/or rear yard setbacks)
- ☐ landscape buffers (reduction of front, side and/or rear yard buffer setbacks)
- ☐ landscaping within buffers (reduction of the number of trees, bushes and/or shrubs)
- ☐ parking area requirements (reduction of parking stalls, parking greenspace islands, etc...)
- ☐ signage requirements (increase of sign area and/or sign height, lighting, coloring, etc...)

☐ other \_\_\_\_\_

(Specify other variance/appeal on line above)

*(Please state on the following lines below your specific request for a variance/appeal:)*

Requesting to reduce the required front green space/setback from 25' to 18' to allow drive up door on south

Requesting to reduce the required rear green space/setback from 10' to 4.8' to match existing building

Wayne Erdman  
**SIGNATURE OF OWNER/APPLICANT**

January 25, 2016

**DATE OF APPLICATION**

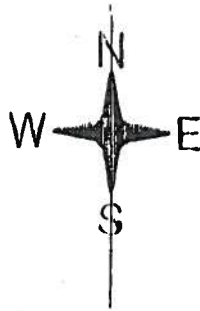
Fence Permit

RiverView Solar

504-324-1810

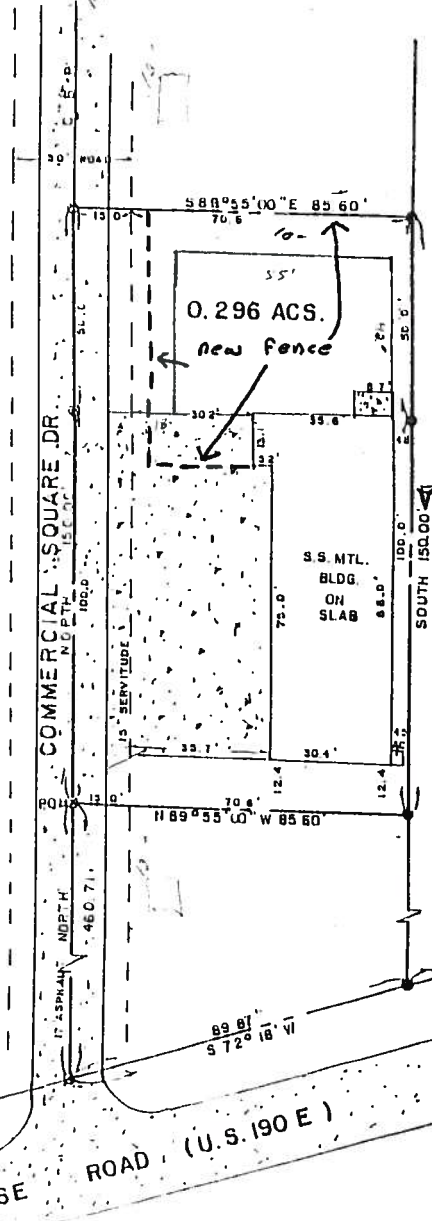
NOTE: ACCORDING TO HUD P.F.A. FLOOD HAZARD BOUNDARY MAP NO. 225205 0440C - THIS PROPERTY IS LOCATED IN FLOOD ZONE C.

ATT Planning  
Dept.

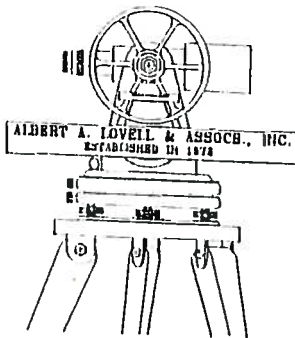


LEGEND:

- ⊙ FND. NAIL IN CONC.
- IRON FOUND



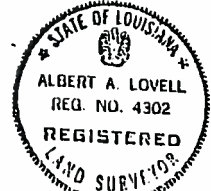
RiverView  
Const. & Solar



ALBERT A. LOVELL & ASSOC., INC.  
ESTABLISHED IN 1978

MAP SHOWING SURVEY OF A 0.296 ACS. PORTION OF  
LOT 9, SLIDELL SUBURBAN ACRES,  
LOCATED IN SECTION 1, T9S-R14E, G1D.  
NEAR THE CITY OF SLIDELL, ST. TAMMANY  
PARISH, LOUISIANA.

FOR JOHN PRENDERGAST & FIRST BANK



TO ALL PARTIES INTERESTED IN TITLE TO PREMISES SURVEYED:  
I HEREBY CERTIFY THAT THE ABOVE SHOWN SURVEY HAS ACTUALLY BEEN MADE ON THE GROUND, AS PER BEARING DESCRIPTION,  
AND IS CORRECT, AND THAT THERE ARE NO ENCROACHMENTS EITHER WAY ACROSS PROPERTY LINES, EXCEPT AS MAY BE  
NOTED ABOVE.

DATE: JULY 21, 1992  
JOB NO.: 101345

*Albert A. Lovell*  
ALBERT A. LOVELL & ASSOC., INC.  
CIVIL ENGINEERS & LAND SURVEYORS  
8111 BOT. ALPHEA DRIVE  
SLIDELL, LA. 70468 504-811-3231

985-898-1529

**ST. TAMMANY PARISH BOARD OF ADJUSTMENT  
STAFF ANALYSIS REPORT**

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Case File Number: BOA Case No. 2016-174-BOA  
Initial Hearing Date: March 1, 2016  
Date of Report: February 19, 2016

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**GENERAL INFORMATION**

Applicant(s) Name: St. Tammany Parish Communications District  
Location of Property: Northeast corner of Krentel Road, Lacombe, Louisiana  
Zoning of Property: I-2 Industrial  
Variance(s) Requested: Partial elimination of landscape buffers

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**OVERVIEW**

The applicant is seeking reductions in planting buffers and plantings on the side yards and street planting areas primary due to the reason that the communications district must meet the mandatory security and blast standoff distances pursuant to the NFPA (National Fire Protection Association) standards under Section 1221. In addition, the amount of parking required for the facility also factors into having to reduce the buffer areas (see documents attached from the applicant's architect).

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**STAFF COMMENTS**

It appears that from what the applicant states pursuant to complying with the NFPA standards, the variances requested are not self-imposed. The total number of trees required for the site pursuant to code is 100 Class A & B trees. The applicant is proposing to keep or plant a total of 52 trees thereby leaving a deficit of 48 class A and B trees.

Therefore, the staff recommends approval of the variances requested subject to the applicant paying for plant mitigation to the St. Tammany Parish Tree Mitigation Bank for the number of trees that would normally be planted within the front and side yard buffers; which equates to (24) Class A (or 60" inches in caliper) and (24) Class B trees (or 36" inches in caliper) for a total of (96" caliper inches) or \$9,600.00, for which said payment is based on \$100.00 per caliper inch of tree, inclusive of the cost for the trees and the labor required to plant.

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BOA CASE NO. 2016-174-BOA (for office use only)

**ST. TAMMANY PARISH BOARD OF ADJUSTMENT  
(VARIANCE/APPEAL APPLICATION FORM)**

*(Please print on the following lines below. If a company, please include a contact person name also.)*

**APPLICANTS NAME:** Jan Lorant AIA on behalf of St. Tammany Parish Communications District

**MAILING ADDRESS:** 3326 N. 3rd Ave., Suite 200

**CITY/STATE/ZIP:** Phoenix, AZ 85013

**PHONE NUMBER:** 602-667-9090  
(Home Phone #) (Cell Phone #)

**PROPERTY LOCATION FOR VARIANCE REQUESTED: ZONING:** I-2

Northeast corner of Krentel Road and Krentel Road, Lacombe, Louisiana  
Address City State Subdivision (if applicable)

*(Please check the applicable boxes below:)*

**REQUEST FOR:**  
☒ A variance of the (Unified Development Code)  
☐ Appeal of an adverse decision made by a parish official(s)  
☐ Appeal the interpretation by a parish official(s) of the  
(Unified Development Code)

**VARIANCE/APPEAL REQUESTED:**

- building setbacks (reduction of front, side and/or rear yard setbacks)  
☒ landscape buffers (reduction of front, side and/or rear yard buffer setbacks)  
☒ landscaping within buffers (reduction of the number of trees, bushes and/or shrubs)  
parking area requirements (reduction of parking stalls, parking greenspace islands, etc...)  
signage requirements (increase of sign area and/or sign height, lighting, coloring, etc...)

other \_\_\_\_\_  
(Specify other variance/appeal on line above)

*(Please state on the following lines below your specific request for a variance/appeal:)*

A variance is requested for a reduction to a portion of the front and side yard buffer setbacks.

A variance is requested for alteration of landscaping within the buffers, as shown on attachments.

(See also written narrative accompanying this variance request form and Exhibits A-B.)

  
SIGNATURE OF OWNER/APPLICANT

01 Feb 2016  
DATE OF APPLICATION





ST. TAMMANY PARISH COMMUNICATIONS DISTRICT  
911 COMMUNICATION DISPATCH CENTER

**VARIANCE REQUEST**

01 February 2016

GLA Project No: 14109

page 1 of 4

**BOARD OF ADJUSTMENT VARIANCE REQUEST**

**BACKGROUND**

The St. Tammany Parish 911 Dispatch Center is a new 15,900 SF facility to be built on a 2.3 acre parcel of land owned by the Parish Communication District. The property is located in Lacombe, Louisiana at the northeast corner of Krentel Road and Krentel Road and is zoned I-2. The building will house critical Parish 911 communications and dispatch services, and supporting infrastructure including a data center designed to interface with other Parish Communications District facilities.

As defined by the governing building code, the International Building Code (IBC), 2012 edition, the communications areas, data center, and supporting infrastructure spaces are considered essential facilities, and thus, are to be designed to ensure continuous operation of the essential facilities in the event of what is defined as a major disruptive event, either natural or man-made.

Because the 911 Dispatch Center falls within the essential facility classification, the project is required to meet the provisions of the National Fire Protection Association (NFPA) Standard 1221, 2010 edition. The stated scope of NFPA 1221 is the establishment of standards for the installation, operation, and maintenance of public emergency services communications systems and facilities.

The present variance request arises from the practical limitations of the site relating to implementation of three mandates of NFPA 1221; namely, the lowest floor elevation of the communications center must be set above the 100-year flood plain \*; the project must provide protective measures to prevent unauthorized vehicles from approaching the portions of the building housing the communications center\*\*; and, there must be redundancy within the communications systems serving the facility. In addition, the site security is of primary importance.

*\*NFPA 1221, Paragraph 4.6.6-4.6.7*

*\*\*NFPA 1221, Paragraph 4.2.3*

To meet these mandates, the following are incorporated within the project design:

- A) A minimum required protective vehicular stand-off distance of 57 feet is provided along the north, south, and west of portions of the building housing critical services. A 15 foot standoff is provided at the east side of the building. This protective standoff has been approved by the Louisiana State Fire Marshal and is implemented by an arrangement of vehicle barriers and perimeter walls and by placement of vehicle parking areas away from the building core. For clarity, the shaded area shown in **Exhibit A** indicates the extents of the protective standoff developed under the current design. The proposed site layout maintains substantially the entire perimeter planting buffer required under Section 7.01 of the U.D.C.; however, a reduction to the planting buffer at the three locations indicated in Exhibit A is required to allow the required protective standoff distances to be implemented on the narrow site own by the Parish Communication District.



**ST. TAMMANY PARISH COMMUNICATIONS DISTRICT  
911 COMMUNICATION DISPATCH CENTER**

**VARIANCE REQUEST**

01 February 2016

GLA Project No: 14109

page 2 of 4

- B) The lowest finish floor of the communications center (and the entire facility) is raised approximately two feet above the 100-year flood plain, as established by FEMA. The project site is located in Flood Zone C which anticipates "Minimal Flooding" per FEMA Flood Maps. The extensive grade adjustment needed to achieve this requirement makes it impossible to retain much of the existing on-site vegetation. **Exhibit B** shows the proposed landscape design and remediation to address this work, including the removal of two existing live oak trees.
- C) The site landscape design promotes general security at the parking areas and facilitates visual surveillance along the building edge. These arrangements are implemented by the advantageous grouping of landscape materials (e.g., trees, shrubs, etc.), in addition to a reduction in the overall amount of plant materials placed in the buffer areas.
- D) A redundant radio-communication system is provided to service the emergency 911 Dispatch Center. The system comprises a roof-mounted radio antenna communicating with an existing communications tower located near Interstate 12. The installed height of the antenna mast will be 45 feet to facilitate aiming the 911 Center antenna to the neighboring tower slightly above the current 45-foot height limit for buildings in the I-2 Industrial District. This elevation assures that the line-of-sight between the antenna and tower will be preserved, regardless of future development within the adjoining properties. The proposed mounting height for the antenna may exceed the maximum height limit established in Section 5.2504 of the U.D.C. The top of the antenna would not exceed 48 feet.

**INDICATION OF POTENTIAL NON-COMPLIANCE**

On 18 November 2015, Mr. Jan Lorant, the Project Architect and Owner's Representative, met with Regan Contois of St. Tammany Parish's Department of Development, to discuss the project and proposed site development. During this meeting Mr. Lorant and Ms. Contois reviewed the proposed changes to the existing grades and the proposed placement of the parking areas needed to achieve the approved vehicular standoff distances required by NFPA 1221. Ms. Contois indicated that portions of the proposed improvements would be non-conforming with regard to the U.D.C. and would form the basis of a rejection should the features be included in a permit application. It was agreed that a variance should be filed with the Board of Adjustments to address these items.

Mr. Lorant met with Ms. Contois in a subsequent on-site meeting (21 January 2016) to discuss the quality of existing vegetation (Live Oak trees) and the scope of the variance, including the mitigation requirements for tree removal. The current site-development plan addresses the removal of two Live Oak trees. There are three Live Oak on the project site, two of which will be removed and replicated with new landscaping, if the present variance is granted. The remainder of the on-site vegetation will be removed and replaced under the new landscape plan, as shown in **Exhibit B**.





ST. TAMMANY PARISH COMMUNICATIONS DISTRICT  
911 COMMUNICATION DISPATCH CENTER

**VARIANCE REQUEST**

01 February 2016

GLA Project No: 14109

page 3 of 4

**Exhibit A** shows the proposed site layout, areas of encroachment into the planting buffer.  
**Exhibit B** shows the proposed landscape plan and landscape remediation.

**THE VARIANCE REQUEST**

- 1) A variance is requested to reduce a portion of the side yard planting buffer at the east property line from 10 feet required by the Parish to 8 feet (see Item 1 of **Exhibit A**). The requested reduction extends from the north property line to a point 202 feet south of the north property line. The 24/7 operation of the 911 Center dictates a large parking area to address shift changes. Granting of this variance will allow a sufficient number of parking spaces to be provided within the protected gated parking lot north of the building. The proposed reduction will allow the north parking lot to function as a portion of the required vehicle standoff.
- 2) A variance is requested to reduce a portion of the side yard planting buffer at the east property line from 10 feet required by the Parish, to 1 foot (see Item 2 of **Exhibit A**). The requested reduction begins at a point 42-and-one-half foot north of the south property line and is 47 feet in length, as shown. Granting of this variance will allow the minimum required 57 foot vehicle standoff to be established at the south service drive and dumpster area.
- 3) A variance is requested to reduce to a portion of the planting buffer from 20 feet required by the Parish, to 9 feet (see Item 3 of **Exhibit A**). This reduction will allow the required 57 foot vehicle standoff to be established at the south parking lot.
- 4) A variance is requested to allow a reduction in the landscape materials within the street landscape buffers, as indicated in the table located on Sheet L105 of **Exhibit B**. Granting of this variance will have the effect of reducing security risks while facilitating visual surveillance along the building edges.



ST. TAMMANY PARISH COMMUNICATIONS DISTRICT  
911 COMMUNICATION DISPATCH CENTER

**VARIANCE REQUEST**

01 February 2016

GLA Project No: 14109

page 4 of 4

**GENERAL COMMENTS BY APPLICANT**

- 1) The present variance request is not self-imposed. The basis of the present request arises from the need to meet mandatory security and blast standoff distances, the flood (elevated floor) mitigation requirements mandated under NFPA standard 1221, and site security issues.
- 2) The present variance request is not based on financial hardship; rather, the request arises from the above-noted code mandates.
- 3) The intent of the present variance request is to overcome the practical limitations associated with implementation of the above-noted mandates.
- 4) Granting of the present variance request will not impose an adverse effect on the adjacent properties or surrounding neighborhood. **Exhibit A** shows that the primary encroachment occurs at the southeast corner of the property adjacent to Krentel Road and Krentel Road where a relatively large buffer will be developed. The remaining encroachments are of minor scale. Landscape mitigation measures will address the removal of the existing plant materials. The requested reductions to the landscape materials are designed to maintain the general objectives of the zoning regulations, while addressing the essential security requirements associated with the 911 emergency 911 Call Center.
- 5) Granting of this variance will not result in the establishment of a dangerous or unfavorable precedent to the Parish as implementations of the above-described protective measures are highly specific to essential-services facilities and therefore cannot be applied generally.

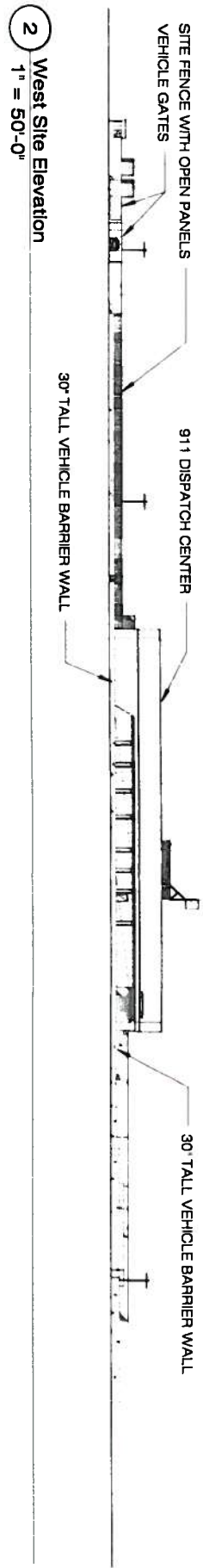
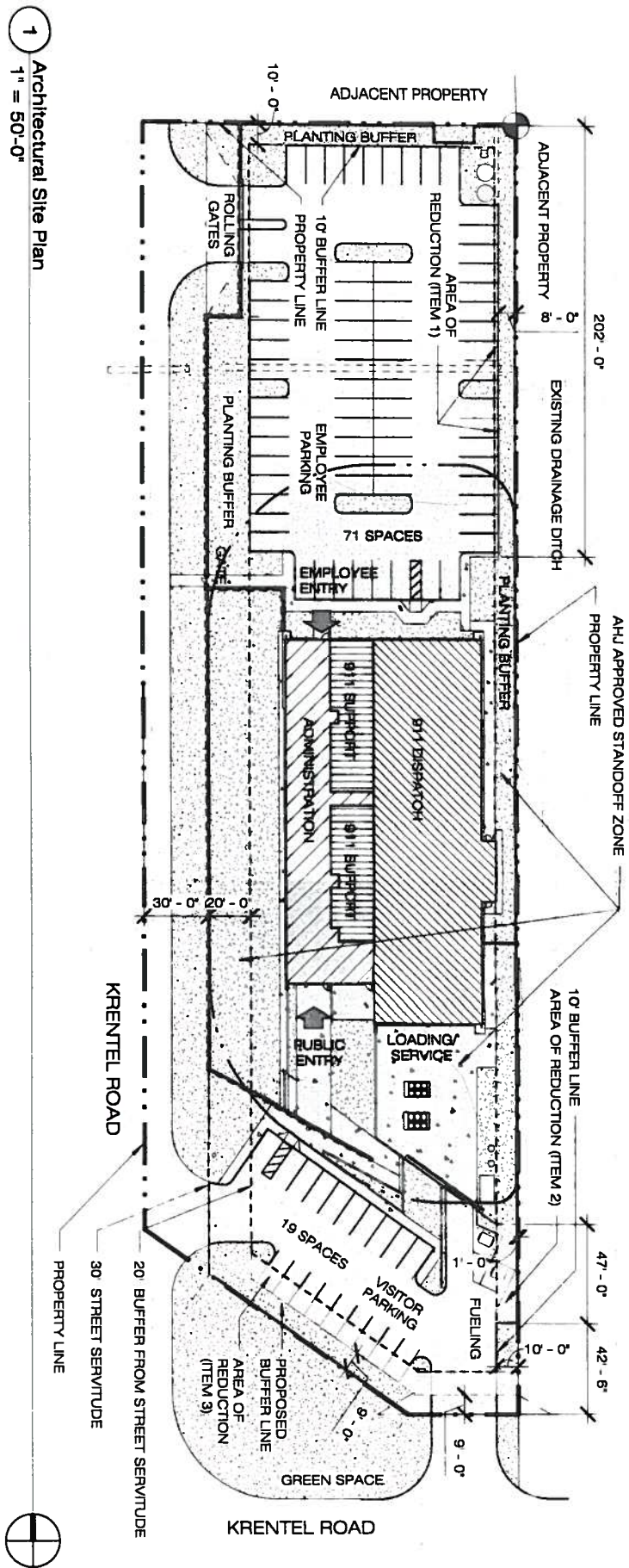
**THE FORM OF THE APPLICATION AND SUPPORTING DOCUMENTS**

The attached variance application form has been completed by Mr. Lorant in his capacity as the Owner's Representative.

A signed letter from the Owner stating that the Mr. Lorant has the authority to sign the application and to represent the Owner at a variance meeting, should it occur, is also provided.

**Exhibit A** is an 11 x 17 drawing showing the proposed site development and scope of variance.

**Exhibit B** is a set of 11 x 17 drawings showing the proposed site landscape development.





**DANA BROWN & ASSOCIATES, INC.**  
JATON ROUGE NEW ORLEANS  
225.381.3139 504.345.2639  
[www.dbaassociates.com](http://www.dbaassociates.com)

SITE INFORMATION	
AREA	ACR. SQ FT
ENTIRE PROPERTY	1.93 84 132
TOTAL REQUIRED PLANTING	0.53 23 136
STREET PLANTING	0.30 12 857
BUFFER PLANTING	0.16 7 143
BLOG FACADE PLANTING	0.02 92*
INTERIOR PLANTING	0.05 2 215

TREES TO BE REMOVED

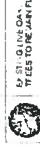
SPECIES	QNTY
LIVE OAK	3
MAGNOLIA	1
PINE	58
WATER OAK	26

**TREES TO REMAIN**

SPECIES	DBH	QNTY
LIVE OAK	25'	1

## LEGEND

8P ● EXHIBIT SEE WITH DBT CARGO AREA  
TRUCKS TO FORWARD FLAGGED WITH GREEN ON SITE



**EXCLUSIVE OAK TREES TO BE PLANTED BY THE HOME SITE**

410-1-9 D E CM 34 481 C 1 3 7 4 1

✓ TREE TO BE REMOVED: 13 AND 15

PLAGGED WITH CHAOS = 0.15.14

~~X~~ WORLD TRADE POLITICAL ECONOMY

NOTE  
TREES NOT SPECIFIED AS PROTECTED ARE  
TO BE REMOVED

PROTECTED 25' LIVE OAK. TREE PROTECTION FENCING (TPF) SHOWN IS SCHEMATIC AND SHALL EXTEND TO THE DRIP LINE OF THE TREE

NOTE: THE EXTENT OF THE TREE PROTECTION ZONE (TPZ) IS DETERMINED BY THE DRIP LINE OF THE TREE

PRIOR TO THE COMMENCEMENT OF ANY WORK THE TPZ SHALL BE ESTABLISHED AND PROTECTED FROM DAMAGE BY ERECTION OF A PRIMARY TPZ AND SHALL BE APPROVED IN WRITING, BY THE LANDSCAPE ARCHITECT.

**EXHIBIT B**



**CALL BEFORE YOU DIG:**  
410-215-8111 or 800-372-3428 (toll-free)  
The call and the service are FREE.

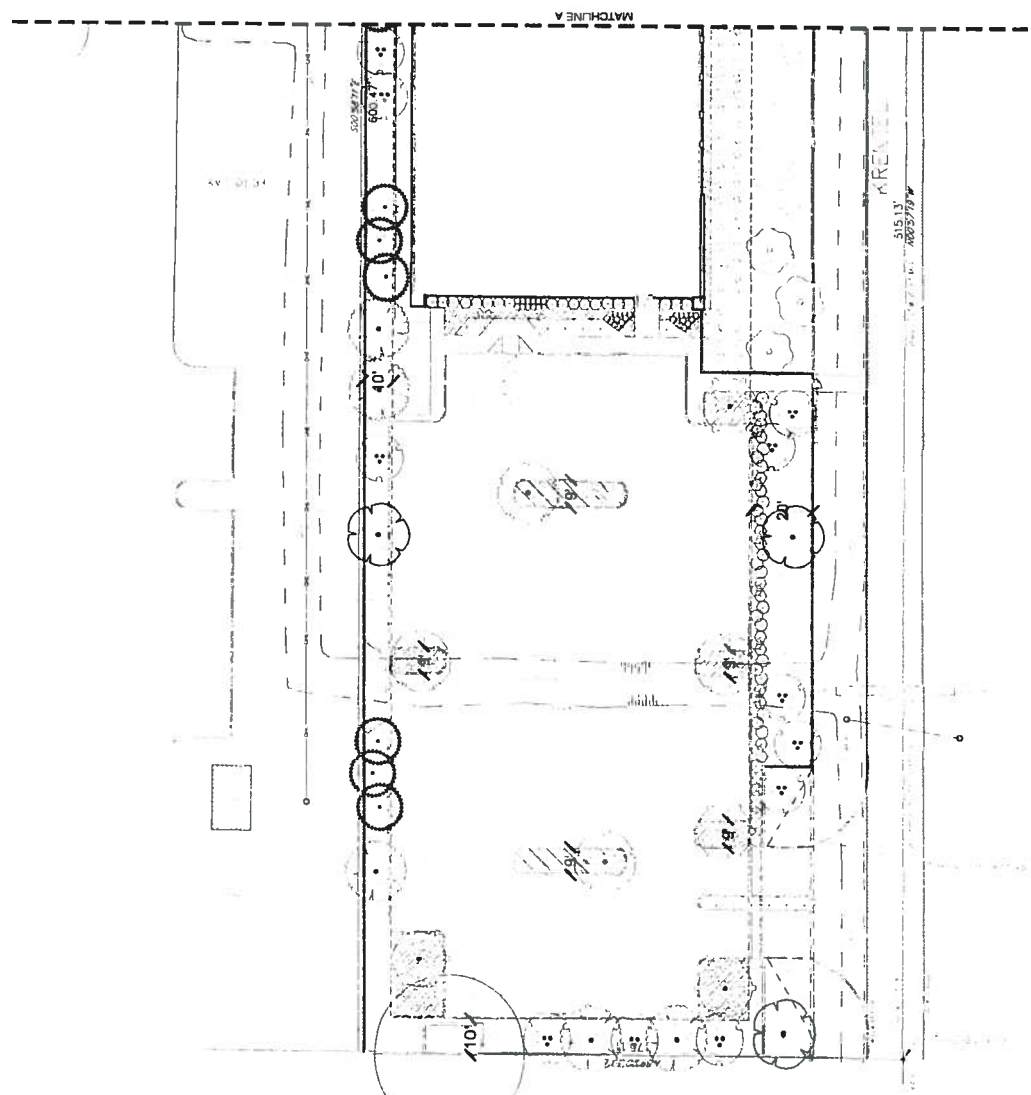


**SITE INFORMATION**

AREA	ACRE 50 FT
ENTIRE PROPERTY	1.93 84.132
TOTAL REQUIRED PLANTING	0.53 23.335
INTERIOR PLANTING	0.05 2.215
BUFF PLANTING	0.16 7.443
BLOG FACADE PLANTING	0.02 921
INTERIOR PLANTING	0.05 2.215

**DESIGN DEVELOPMENT PLANT SCHEDULE: NORTH PLAN**

TRIALS	QTY	COMMON NAME	BOTANICAL NAME	CONT	CAL	SIZE	DETAIL	REMARKS
1	3	American Hornbeam	Carpinus caroliniana	1.7' Cal	8	10 HT		Cuts B Tree
2	6	Yucca	Yucca v. comata	1.5' Cal	8	10 HT		Cuts B Tree
3	3	Southern Magnolia	Magnolia grandiflora	2' 3' Cal	10	12 HT		Cuts A Tree
4	1	Swamp Bay	Mazonia nigrifolia	1.5' Cal	8	10 HT		Cuts B Tree
5	5	White Oak	Quercus alba	2' 3' Cal	10	12 HT		Cuts A Tree
6	4	Swamp Chestnut Oak	Quercus imbricaria	2' 3' Cal	10	12 HT		Cuts A Tree
7	4	Bald Cypress	Taxodium distichum	2' 3' Cal	10	12 HT		Cuts A Tree
8	40	American Sycamore	Catalpa americana	3' Cal			SPACING: 2' in n. height	
9	41	African Elm	Ulmus alatus	3' Cal			24' x 6'	
10	31	Rhodora	Rhododendron maximum	3' Cal			30' x 6'	
11	256	Soft Rush	Juncus effusus	3' Cal			30' x 6'	
12	12,402 sf	St. Augustine Grass	Stenotaphrum secundatum				24' x 6'	
13	371 sf	St. Augustine Grass	Stenotaphrum secundatum					
14	358	Southern Shad Bluff	Thalictrum flavum	3' Cal				
15	3,815 sf	Red Preparation Soil Mix						
16	3,934 sf	Pine Needle Mulch						
17	1505 sf	River Rock						



**EXHIBIT B**



CALL BEFORE YOU DIG:  
Digging and Drilling  
The call and the service are FREE.

## BUFFER CHART

LENGTH	DEPTH	REQUIRED	PROVIDED	LACKING CREDITS REQUEST
NORTH	176'	1 CLASS A PER 30' 1 CLASS B PER 30'	6 A 6 B	4 A 3 B
SOUTH	203'	1 CLASS A PER 30' 1 CLASS B PER 30' 1 SHRUB PER 10'	7 A 7 B 20 S	5 A 5 B -
EAST	600'	1 CLASS A PER 30' 1 CLASS B PER 30'	20 A 20 B	12 A 5 B
WEST	515'	1 CLASS A PER 30' 1 CLASS B PER 30' 1 SHRUB PER 10'	7 A* 17 B 52 S	10 A 7 B -
TOTAL		100 TREES 52 TREES 48 TREES		

\*INCLUDES 4 CREDITS FOR 26' LIVE OAK PRESERVED

## LIVE OAK INFORMATION

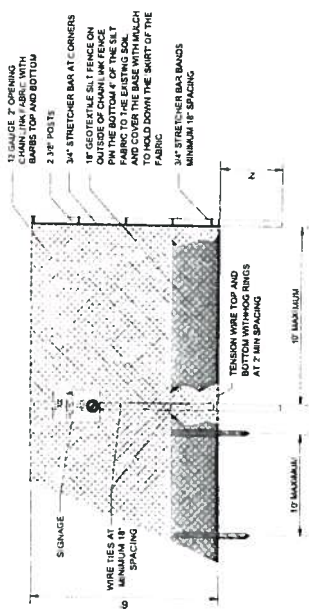
	GRADE	PERCENT MITIGATED
12" LIVE OAK	C	50%
17" LIVE OAK	C	50%
25" LIVE OAK	B	PRESERVED

29 REMOVED X 0.5 = 14.5 TO MITIGATE

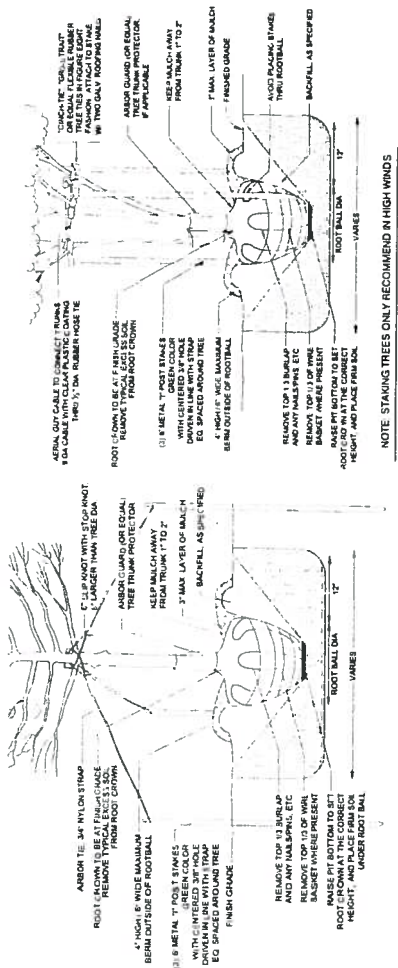
**EXHIBIT B**



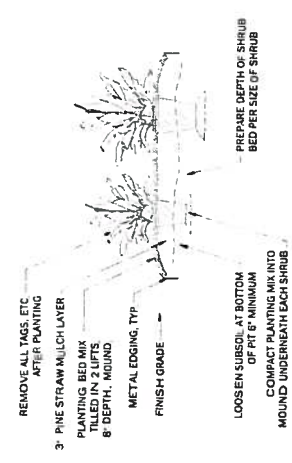
**CALL BEFORE YOU DIG:**  
Also dial 811 or 800 272-3029 (toll-free).  
The call and the service are FREE.



**TREE PROTECTION FENCE**



## 4 TREE PLANTING WITH MULTIPLE STAKES



## 8 SHRUB BED PLANTING

## 5 MULTIPLE TRUNK TREE PLANTING WITH MULTIPLE STAKES

• FINISHED GRADE OF PLANTING BEDS SHOULD BE NO MORE THAN 6" ABOVE ADJACENT GRADES UNLESS OTHERWISE NOTED

**ST. TAMMANY PARISH BOARD OF ADJUSTMENT  
STAFF ANALYSIS REPORT**

---

Case File Number:	BOA Case No. 2016-175-BOA
Initial Hearing Date:	March 1, 2016
Date of Report:	February 19, 2016

---

**GENERAL INFORMATION**

Applicant(s) Name:	Lavigne Plaza, L.L.C.
Location of Property:	2963 Highway 190, Mandeville, Louisiana
Zoning of Property:	HC-2 Highway Commercial
Variance(s) Requested:	A portion of the north side yard buffer

---

**OVERVIEW**

As the board may remember, the applicant presented a similar variance request back in December of 2015 (2015-86-BOA) for this property, which resulted in the denial of the request due to the lack of four (4) affirmative votes to approve.

The applicant is now requesting that a portion of the north side landscape buffer area and plantings be reduced to 2' from 0' requested in the prior application, and reduce the number of vacuum sites requested to twelve (12) from thirteen (13) prior (see letter from applicant's attorney attached).

---

**STAFF COMMENTS**

In the staff's opinion, the application is simply a rehashing of the original request with very slight modifications proposed that does little to change or impact what was originally proposed. For that reason the staff reiterates its non-support for the variance requested for the same reasons as stated before and as outlined below:

- a.) There is already an existing "vacuum service" area next to the "market" building.
  - b.) The car wash already has dedicated parking for the business which could be used for said stated purpose.
  - c.) It appears that at least one of the existing vacuum stalls located on the north side of the building could be eliminated thereby creating an opportunity for the applicant to provide some additional parking stalls for customer use.
  - d.) The arguments made by the applicant relates more to a personal preference as opposed to a practical difficulty or hardship.
-



BOA CASE NO. 2016-175-BOA (for office use only)

**ST. TAMMANY PARISH BOARD OF ADJUSTMENT  
(VARIANCE/APPEAL APPLICATION FORM)**

*(Please print on the following lines below. If a company, please include a contact person name also.)*

APPLICANTS NAME: Lavigne Plaza, LLC d/b/a Blue Harbor Carwash

c/o Marc Delery

MAILING ADDRESS: 2963 Highway 190

CITY/STATE/ZIP: Mandeville, LA 70471

PHONE NUMBER: N/A

(Home Phone #)

985-727-2629

(Cell Phone #)

PROPERTY LOCATION FOR VARIANCE REQUESTED: ZONING: HC-2

2963 Highway 190

Mandeville

LA

N/A

Address

City

State

Subdivision (if applicable)

*(Please check the applicable boxes below:)*

**REQUEST FOR:**

- ☒ A variance of the (Unified Development Code)  
☐ Appeal of an adverse decision made by a parish official(s)  
☐ Appeal the interpretation by a parish official(s) of the (Unified Development Code)

**VARIANCE/APPEAL REQUESTED:**

- ☒ building setbacks (reduction of front, side and/or rear yard setbacks)  
☐ landscape buffers (reduction of front, side and/or rear yard buffer setbacks)  
☐ landscaping within buffers (reduction of the number of trees, bushes and/or shrubs)  
☐ parking area requirements (reduction of parking stalls, parking greenspace islands, etc...)  
☐ signage requirements (increase of sign area and/or sign height, lighting, coloring, etc...)

☐ other \_\_\_\_\_

(Specify other variance/appeal on line above)

*(Please state on the following lines below your specific request for a variance/appeal:)*

Please see letter of explanation attached hereto.

Lavigne Plaza, LLC

By: Marc Delery

SIGNATURE OF OWNER/APPLICANT  
Marc Delery

2/2/2016  
DATE OF APPLICATION

WILLIAM J. JONES, JR.  
A. WAYNE BURAS  
JEFFREY D. SCHOEN  
JOHN R. WALKER  
SAM J. COLLETT, JR.  
MARGARET H. KERN  
CALVIN P. BRASSEAU  
PAUL J. MAYRONNE  
BAILEY DIRMANN MORSE

SAM J. COLLETT, III

## JONES FUSSELL, L.L.P.

ATTORNEYS AT LAW  
NORTHLAKE CORPORATE PARK, SUITE 103  
1001 SERVICE ROAD EAST, HIGHWAY 190

P.O. BOX 1810  
COVINGTON, LOUISIANA 70434-1810

TELEPHONE (985) 892-4801  
FAX (985) 892-4925

HOWARD R. FUSSELL  
(1937-2015)

February 2, 2016

**Via Hand Delivery**

St. Tammany Parish  
Department of Development  
c/o Mr. Ron Keller, Senior Planner  
21490 Koop Drive  
Mandeville, Louisiana 70471

**Re: Lavigne Plaza, LLC d/b/a Blue Harbor Car Wash  
Variance Request to Eliminate a Portion of the North Side Landscape Buffer**

Dear Ron:

As you may recall, I represent Lavigne Plaza, LLC d/b/a Blue Harbor Car Wash ("Blue Harbor"), which is the owner and operator of the gas station and car wash facility located across from the Premier Center along U.S. Highway 190 in Mandeville. A request for a variance was filed by Blue Harbor and heard by the Board of Adjustments at their December 1, 2015 meeting. At that time, Blue Harbor was requesting a variance to reduce a portion of the north side landscape buffer from the ten (10') feet required to zero (0') feet. At the meeting, a motion was made to approve our request but failed after only receiving three (3) affirmative votes when four (4) were required.

Since the prior meeting, Blue Harbor analyzed its site and its prior request, and, as more particularly set forth hereinafter, has modified that request. As you may recall, Blue Harbor has a legitimate and specific need to provide self-service vacuum opportunities at the subject facility. This need is based in part on a change in the current business climate, including two new competitors entering the market and also certain other new federal regulations. While these conditions are the basis for the business decision by Blue Harbor to add the self-service vacuum stations, it is not the basis for our requested variance nor the hardship that exists.

I have attached hereto two (2) plans, one labeled "L-2" and the other labeled "L-3". The plan labeled L-2 represents our current submittal and details our request and proposed mitigation measures, all of which will be more particularly described below. Plan L-3 is attached hereto for the purpose of demonstrating the hardship that exists. In particular, as you will see on plan L-3, Blue Harbor has enough room within its existing site, and without requesting a landscape buffer variance, to install twelve (12) self-serve vacuum stalls. However, in order to do so, it would require the removal of a seventy-two (72") live oak tree located on the property, all as set forth on plan L-3. Pursuant to the provisions of Section 7.0105(B) and (C) of the St. Tammany Parish Unified Development Code (the "UDC"), we understand and appreciate the Parish's desire to maintain this live oak tree. However, we also recognize the Parish provisions that allow for the removal of a live

oak tree in the event it is located in an area where a structure or improvement will be placed or will deny reasonable access to property. Notwithstanding the foregoing, the existence of this tree on the subject property, along with the aforementioned provisions of the UDC, create a hardship, and it is Blue Harbor's desire to find an alternative to removing the live oak tree, which alternative is the basis for our variance request.

As a result of this hardship, and as you will see on plan L-2, we are requesting a reduction in a portion of the north side landscape buffer from ten (10') feet required to two (2') feet requested. This represents an amendment from our previous request wherein we requested to eliminate the entirety of the buffer in this area. In addition, we are reducing the proposed vacuum sites from thirteen (13) (as previously proposed) to twelve (12), to be consistent with the number of vacuum sites we could establish on the property pursuant to plan L-3. In reducing the vacuum sites, we are also proposing to increase the green space in the front buffer area by 332 square feet and to add additional class B trees in that area. Furthermore, as with the prior submittal, we are also proposing to add significantly more tree plantings than currently exist on the property. We are proposing to add nineteen (19) additional class A trees and nineteen (19) additional class B trees. Conversely, we are only proposing to remove four (4) class A trees and twelve (12) class B trees. Therefore, there will be more trees on site if our variance request is approved than exist currently. Moreover, we are only proposing to remove eight (8) trees from the north side buffer area and thirty-eight (38) trees are being added to the entire site. Finally, as contemplated in the aforementioned provisions of the UDC, with regards to removal of certain trees, my client would propose to make payments to the tree bank in the amount of \$3,000.00 as yet additional mitigation.

We would ask that you and the members of the Board please consider the foregoing facts with regards to our request. As always, please do not hesitate to contact me if you should have any questions or need any additional information.

Sincerely,

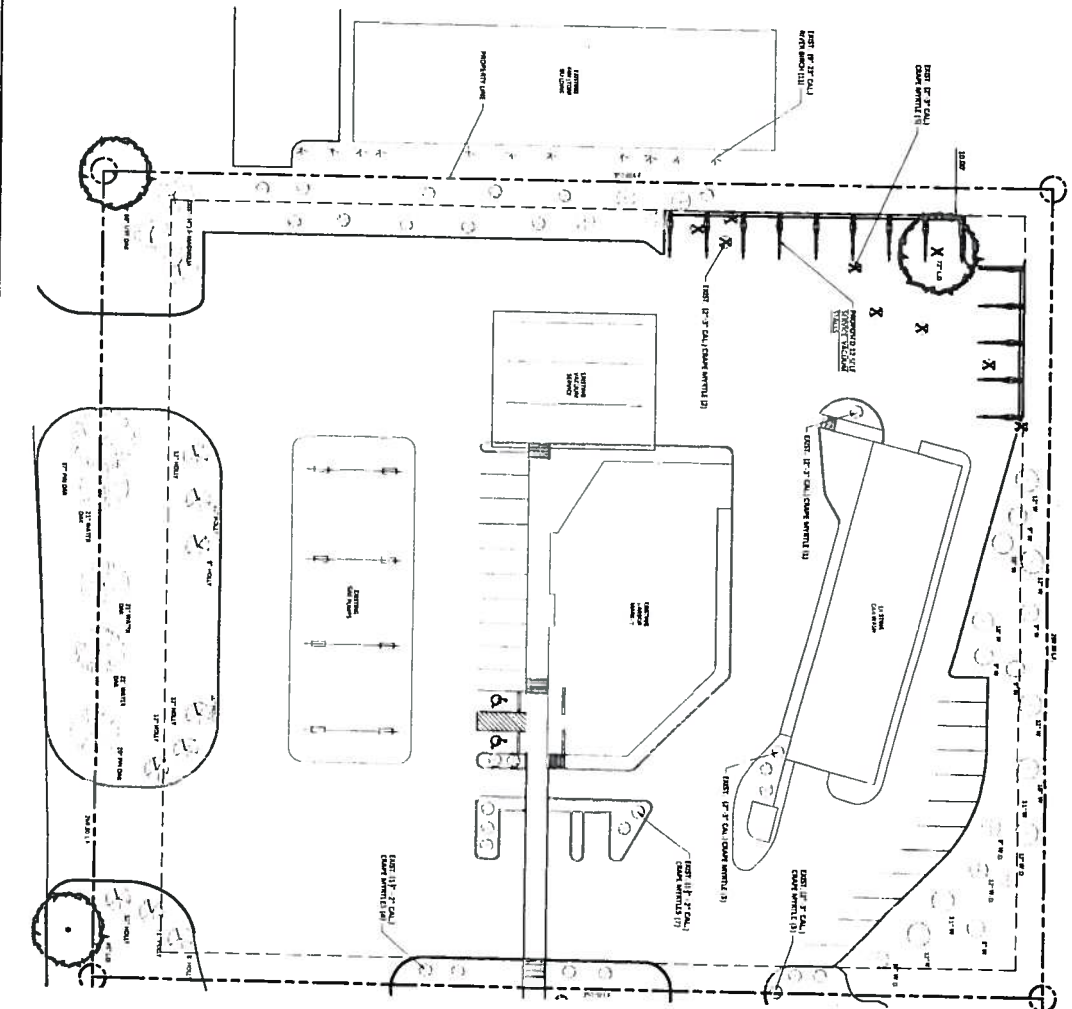


Paul J. Mayronne

PJM:lmr

cc: Marc Delery





LEGEND	
X	EXISTING TREES TO BE REMOVED
	EXISTING TREES

<b>L3.0</b>	<b>Kyle Associates, LLC</b> Professional Landscaping & Construction 1000 Highway 101, Suite 100, Mandeville, LA 70471 Phone: 504.833.1111		<table border="1"><thead><tr><th>NO.</th><th>DATE</th><th>DESCRIPTION</th></tr></thead><tbody><tr><td> </td><td> </td><td> </td></tr><tr><td> </td><td> </td><td> </td></tr><tr><td> </td><td> </td><td> </td></tr></tbody></table>	NO.	DATE	DESCRIPTION										<b>BLUE HARBOR</b> <b>U.S. HIGHWAY 190</b> <b>MANDEVILLE, LOUISIANA</b>  <b>LANDSCAPE REVIEW</b>	SCALE: 1/8" = 1'-0"	DESIGNED BY: KS
				NO.	DATE	DESCRIPTION												
SCALE: 1" = 20'-0"	DATE: 02/01/2016	PROJECT NO: 15045	CLIENT: HBSZ/KHS	DATE: 02/01/2016														